

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 19, 20, 22-24, and 26 are presently active in this case. Claims 1-18, 21, and 25 have been canceled without prejudice or disclaimer. Claims 19 and 23 have been amended by way of the present Amendment. Care has been taken such that no new matter has been entered. (See, e.g., page 10, lines 27-30, and original Claim 8.)

In the outstanding Official Action, Claims 19 and 23 were rejected under 35 U.S.C. 102(b) as being anticipated by Kumozaki et al. (U.S. Patent No. 5,539,564). Claims 20, 22, 24, and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kumozaki et al. in view of Klink (U.S. Patent No. 5,706,277). For the reasons discussed below, the Applicants request the withdrawal of the art rejections.

In the Office Action, the Kumozaki et al. reference is indicated as anticipating each of independent Claims 19 and 23. However, the Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. As will be demonstrated below, the Kumozaki et al. reference clearly does not meet each and every limitation of the independent Claims 19 and 23.

Claim 19 recites an optical distribution network system comprising, among other features, an optical line termination, a first optical network unit and a second optical network unit connected to the optical line termination through a working optical network and a standby optical network, wherein the optical line termination is configured to send a first

passive optical network section trace (PST) message and a second PST message, which are used to switch transmission of data traffic to the optical line termination along either one of the optical networks, and wherein the optical line termination is configured to switch transmission of data traffic only when a system switching request in a respective PST message from a respective optical network unit is not dissolved after a predetermined time period. Claim 23 recites a network system switching method wherein the optical line termination is configured to switch transmission of data traffic only when a system switching request in a respective PST message from a respective optical network unit is not dissolved after a predetermined time period. The Applicants submit that the Kumozaki et al. reference fails to disclose all of the above features.

The Kumozaki et al. reference does describe and depict (e.g., in Figure 5) a time table during which various signals are set between the central office equipment (101) and the subscriber's equipment (301, 401). However, the time table merely sets forth the sequence in which signals are sent or received. The Kumozaki et al. reference does not disclose or even suggest a system or method in which an optical line termination is configured to switch transmission of data traffic *only when a system switching request in a respective PST message from a respective optical network unit is not dissolved after a predetermined time period*. No such requirement is present in the Kumozaki et al. reference. Thus, for at least this reason, the Applicants submit that the Kumozaki et al. reference does not anticipate Claims 19 and 23.

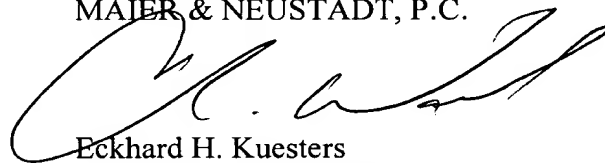
Application Serial No.: 09/942,567
Reply to Office Action dated August 9, 2006

Thus, the Applicants respectfully request the withdrawal of the anticipation rejections of independent Claims 19 and 23. The dependent claims are considered allowable for at least the reasons advanced for the independent claim from which they depend.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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